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We Will Facilitate your Protest

Citation for published version:

Gorringer, H & Rosie, M 2013, 'We Will Facilitate your Protest: Experiments with Liaison Policing', *Policing: a Journal of Policy and Practice*, vol. 7, no. 2, pp. 202-209. <https://doi.org/10.1093/police/pat001>

Digital Object Identifier (DOI):

[10.1093/police/pat001](https://doi.org/10.1093/police/pat001)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

Policing: a Journal of Policy and Practice

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Title: 'We *will* facilitate your protest': Experiments with Liaison Policing

Abstract: This paper explores innovations in public order policing during Edinburgh's NATO Parliamentary Assembly protests of 2009. When masked anarchist protesters gathered to 'Smash Nato', they were met by three plainclothes police negotiators rather than a line of public order officers. This paper reflects on their attempts to interact with protestors and minimise disorder whilst 'facilitating lawful protest'. We welcome the shift in attitudes and approach towards political protest, and draw on our observation of NATO and the 2010 Climate Camp to consider the efficacy of liaison policing tactics and the lessons to be learned.

Key Words: Protest; Liaison Policing; Nato; Negotiated Management

Background

When the North Atlantic Treaty Organisation (Nato) Parliamentary Assembly met in Edinburgh in November 2009, 'Anti-Militarist Network' activists announced plans to 'shut down the Assembly'. The local press forecast 'angry political protests' which would attract 'extreme groups' (McLaughlin 2009a) but Lothian and Borders Police (LBP) downplayed the potential for disorder, identifying "no intelligence that the Anti Militarist Network was anything other than a peaceful protest movement" (Ferguson 2009).

Although the 'Nato Welcoming Committee' (Nato WC), a loose collection of anarchist and/or student groups, advocated 'spontaneous' actions¹ there were four main points of protest: a 'Smash Nato' demo on the opening day of the conference (Friday 13th November), an unrelated Stop the War Coalition on the Saturday, and two events on the Monday. The first of these was an attempt to enter the conference centre and the second was a 'noisy protest' at the University of Edinburgh.

Whilst Scottish forces pride themselves on a 'softly-softly' approach to protest (Gorringer and Rosie, 2008), their emphasis on facilitation and tactical innovation occurred amidst the intense scrutiny of protest policing that followed the death of Ian Tomlinson during the G20 protests that April and prompted two reports by Her Majesty's Chief Inspector of Constabulary (HMCIC) (Rosie and Gorringer, 2009). The anti-Nato demonstrations, thus, offered insights into the changing nature of protest policing in Britain. Indeed, the 'gold strategy' for the event emphasised 'facilitation' of political dissent, perhaps best illustrated by the fact that the group of masked, black-clothed activists who gathered for the first protest were initially met by three police 'facilitators'.

There was, on the face of it, an explicit recognition that such activists have causes whose expression should be accommodated *even if* appropriate permission has not been secured and protests will entail 'disruption to everyday life'. These officers attended all protest events, though their role appeared to be ill-defined and unclear. Their deployment stemmed from the initiative of the officers involved rather than being a carefully thought out strategy. It has been revised and reformulated since, however, and the topicality of this tactical development means that an evaluation of its nature and future implications is important.

This paper, thus, examines tentative steps towards dialogue policing in Scotland. We outline our research and offer an overview of the theoretical literature before turning to the policing of the Nato protests. We close by drawing on observations from Climate Camp 2010 to offer suggestions and recommendations for forces seeking to police through dialogue and liaison.

The Study ²

The following account is primarily based on participant observation. During the Nato protests we were unknown to protestors or police, but were open about our research. Mingling with protestors enabled us to capture their experience of the policing and interactions with the facilitators. Notes were written up immediately following each event and circulated amongst the research group to cross-check impressions. We had multiple conversations with police and protestors, and later held a group discussion with the four police 'facilitators', followed by formal interviews with two of these and

the event Silver commander. We subsequently observed liaison police actions before, during and after the Climate Camp protests in 2010 both from the Camp itself and from Police head-quarters.³

Protest Policing in Perspective

Proactive police attempts to liaise with protest groups are not new and draw on community policing styles. In relation to protest, a 'negotiated management' style of consensus-based policing emerged in the U.S during the 1980s and 1990s as 'escalated force' models – where police respond with increasing force to perceived threats – were discredited for inflaming events. The emphasis shifted to co-operating with protestors and tolerating a degree of public disruption and peaceful, though technically illegal, symbolic actions. Police even helped to stage-manage road blockades or publicity stunts (McPhail et al. 1998). More locally, the police in Scotland pride themselves on a consensus-based approach highlighted in their desire to facilitate protests during the 2005 G8 summit (Gorringe and Rosie 2008).

King and Waddington, however, note that negotiated management requires demonstrators to be willing to talk to police and have 'representatives with the requisite authority to enter into negotiation' (2005: 262-3). Such characteristics are absent in anti-systemic groups who often refuse to interact with the police. Consequently, many forces differentiate between 'legitimate' actors who are facilitated and 'illegitimate' ones who are controlled (Gorringe and Rosie 2008). As Waddington (2007: 14) notes, 'for all the emphasis on "consensual policing" in Britain, political protest is still largely conducted on terms determined by the police'.

Indeed, Gilham and Noakes (2007: 343) observe that the prevalent police response to 'transgressive' groups has been 'strategic incapacitation' through a range of tactics: 'kettling', preventative arrest, surveillance/infiltration, and extensive sterile zones. They further note that with the de-legitimisation of transgressive actors, at worst police regard the containment of such groups as an inconvenience rather than as repression. As if containment tactics have become more widely deployed, however, criticisms have emerged focusing on the duration of the containment and the (lack of) basic facilities offered to those contained. Such policing, therefore, has been subject to increasing scrutiny and challenge.

With 'strategic incapacitation', negotiation is minimal at best and often completely absent where the crowd is seen as homogenous and potentially unruly. This view can become a self-fulfilling prophesy (Stott et al 2008), and a part of the 'history' of police/protestor relations that influences future events (Gorringe and Rosie 2008). Having been previously contained activists may be less trusting of the police as illustrated in the student protests of 2010. Reicher et al.'s (2004: 566-568) important 'guidelines for crowd policing', therefore, stress the need to: educate officers about the various constituents of a crowd; 'try to facilitate crowd aims'; communicate, preferably through trusted and respected figures, and; not treat any crowd as homogenous. The dangers of neglecting these were tragically evident in the death of Ian Tomlinson.

The experiment with 'facilitators' in Edinburgh, significantly, demonstrated an attempt to interact and negotiate on the ground rather than in *advance* of an event. These techniques already inform the policing of large sporting occasions. Stott et al's (2008: 131) football study, for example, found that fans who experienced legitimate and

interactive policing were more likely to identify with the police and distance themselves from potential troublemakers. Stott et al.'s Elaborated Social Identity Model (ESIM) helps explain inter-group dynamics. Whether such techniques can readily be transferred to the policing of protest, however, is an open question.

Sweden's 'dialogue policing', however, seeks to 'facilitate ... freedom of speech and the right to demonstrate', minimising confrontation, injury and destruction of property (Holgersson & Knutsson 2010: 15). Dialogue focuses on: Negotiation; Mediation; Initiation; Communication; and Sensing the moods within a crowd. Negotiation involves considering both the police *and* protestors' preferred routes in open discussions aimed at securing acceptable compromises and/or alternative solutions. On the day, dialogue officers try to uphold prior agreements, sustain communication between police and demonstrators, defuse potential conflicts, and report back on the changing moods of the crowd.

Holgersson and Knutsson (2010) argue that internal police opposition to dialogue policing has eroded as its deployment has reduced tension before and during protests. Equally, however, dialogue police may be regarded as 'traitors' by colleagues and as 'intelligence gatherers' by protesters. Wahlström (2007) found that commanders often demanded 'instantaneous results' and resented negotiating with hard-core protesters with no desire to reciprocate. True dialogue, though, requires 'a long term, mutually trusting and respectful, relationship' (Wahlström 2007: 397). ESIM and dialogue models underpin the reforms suggested by HMCIC, but these tactics were untried and untested in UK protest policing. Lacking clear templates and guidelines, various forces such as LBP - have innovated.

Facilitation or Control?

The opening day's 'Smash Nato' protest had confrontational potential. NatoWC's website invoked 'a diversity of tactics' and refused to 'publicly condemn other people's actions'. Graphics featured a wrench, megaphone, hard-hat, bolt-cutters and d-lock, accompanied by the message 'bring what you expect to find!'⁴ Autonomous action was encouraged and a map detailing potential targets was distributed. NatoWC did not seek permission or provide details of their event to 'make it as hard as possible for us to be contained and stopped from taking action.'⁵ Instead, the meeting point was announced shortly before the protest began.

Despite this approach, the opening exchanges saw a knot of 30-40 black-clad, masked protesters and orange-vested legal observers met by the plain-clothed 'facilitators' who *asked* activists to de-mask and tried to discuss possible routes. The experimental nature of the approach was clear in that the facilitators arrived first more by luck than design and were mid-discussion when three Public Support Units made for the group. A 40 minute stand-off ensued with uniformed officers *demanding* the removal of masks under Section 60. Those resisting were pulled aside, lectured, made to disclose their names and un-masked before being released. Eventually activists splintered off in different directions with officers trailing in their wake.

This exchange coloured subsequent events and undermined the role of the facilitators. As the Event Silver later reflected, 'chat, chat, chat and then *CHARGE!* You know, I can see why that might not work ... Given the situation again I would probably not deploy the uniformed resources quite as quickly' (Interview). Throughout

the summit, masked and potentially recalcitrant protesters were greeted by officers promising to accommodate their goals and facilitate their activities, but this facilitation had clear parameters. Protesters could only proceed if they removed their masks, relinquished 'potentially dangerous' flagpoles and disclosed exactly where they wanted to go.

Unsurprisingly, protestors saw the 'facilitators' as a stalling tactic. Subsequent interviews revealed that uniformed officers were unaware of the facilitation team and the Silver Commander was uncertain about their efficacy:

We are not sure negotiations are going to work here ... [and] we need to make sure we don't end up getting closer to this worst probable scenario, which is [protests at] the EICC [Edinburgh International Conference Centre –the Assembly venue], so what we do is, we will put some more resources in ... to make sure we don't lose control of the situation (Interview).

Dialogue policing, as we have seen, requires the police to tolerate some uncertainty and disruption. Although there were under 50 protestors present, the overriding commitment to *containing* rather than facilitating the protest was evident throughout. Indeed, later that day outside the conference venue police stationed barriers and PSUs to prevent protesters from getting too close. The three 'facilitators' mingled and chatted with protestors, but were greeted with cynicism:

Police Facilitator: You can have your protest within the law, minimal arrests, minimal disruption.

Protestor: We have the right to ineffective protest? ...

Facilitator [having clearly misheard this as 'an effective protest']: Absolutely, absolutely!

Protestor: Ineffective protest – I thought so.
(Fieldnotes)

The facilitators were licensed to talk but could offer little to address suspicion. Activists were neither dispersed nor fully contained but they were asked to move off the road and pavement and into a car-park. When a small group carrying banners assembled on the road for a photograph, officers brusquely shepherded them back. One facilitator agreed that the incident could have been dealt with through dialogue, but they seemed disconnected from the overall policing operation.

Policing that day arguably fulfilled the Gold Commander's briefing to 'facilitate peaceful protest' ('Silver', Interview) and minor disruptions to everyday life were tolerated unless protagonists were masked or impeding traffic. 'Facilitation', however, was clearly delimited and protesters remained cynical seeing the facilitators as devious 'intelligence gatherers'.

Negotiated Marching

The following day's Stop the War (StW) rally exemplified negotiated management. The event had been painstakingly agreed beforehand, the march was self-stewarded and police intervention was minimal. One issue was how close the march would get to the Conference Centre: given larger numbers, the route was further away from the venue than the anarchists had been. Close to the summit marchers halted for chants

and slogans. Two flares were set off, attracting a scrum of photographers but no police action. Eventually, after prompting from the chief steward and a senior police officer the march continued.

The set-piece resembled a pre-agreed symbolic gesture and this interpretation was confirmed in interviews. Everything bar the flares had been pre-agreed, meaning that incidents which might otherwise have induced police intervention were tolerated. This was consistent with Silver's stipulation that there would be 'no surprises' and, therefore, 'no reasons for the march to escalate' (Interview).

Despite its orderly and 'contained' nature, however, there was a highly visible presence of Forward Intelligence Teams (FIT) and a (to us) surprising number of 'ordinary officers' with cameras. This may have been due to the events of the previous day, but very few of those involved in NatoWC were present. Police interviews suggest that this monitoring reflected two risks. First, a recent 'history' in which Edinburgh StW were seen to have deviated from negotiated agreements (Gorringer & Rosie 2008); and secondly, concern that the march could be 'hi-jacked' by radical elements. Whatever the motive, the surveillance jarred with the emphasis on facilitation and seemed heavy-handed in light of extensive pre-negotiations. Indeed, the pre-agreed rendered the facilitators largely redundant.

Facilitating Transgressive Protests?

On the final morning of the Assembly, David Miliband, then Foreign Secretary, provided a focus. Whilst black-clad NatoWC activists led a feint at the rear of the EICC, six Trident Ploughshare activists (a non-violent group opposed to nuclear submarines) were arrested attempting to enter by the front door. Policing was neither aggressive nor heavy-handed and 'legal observers' were allowed to approach as the group passively resisted arrest. The co-ordinated attempt to outsmart the police, however, influenced policing at NatoWC's later 'noisy protest' against Nato's Director General. When protesters arrived in the University quad at Old College, they were intercepted by police and directed to a barricaded protest area. Given the intention to hold a noisy protest, this seemed a genuine attempt at facilitation, but activists insisted on their 'right' to stand where they pleased. This led to an ultimatum: 'In there or out of the quad!'

The emphasis on facilitation unravelled here as it transpired that the activists faced two containment options: to be penned inside the quad or outside it. Some fifteen activists, thus, found themselves confined in a small section of pavement sealed off by police-lined barriers and ostentatiously photographed by FIT. One facilitator revealed that events that morning had made officers more anxious and less trusting. A uniformed officer insisted that activists were penned 'for their own safety', in part because: 'There are people in there, who have [security] with guns'. Facilitation competed with desire to avoid disruption and an awareness of the repercussions that would follow any attack on a dignitary or injury to a protestor.

Though numbers were small the emphasis was on containment and protestors were released only after the speaker had left, arguably having been held 'for no longer than [was] reasonably necessary'.⁶ The facilitators were prominent here, liaising with activists and answering their questions, but they acted as pressure-valves rather than delivering a different approach. Indeed, when the protestors were released, uniformed

officers followed them into a café, checked the fire-escape and then waited outside. Silver conceded that such actions jarred with the over-riding ethos of facilitation but insisted that it was a proactive attempt to 'protect other members of the public ... rather than turning up on the back foot when everything's gone wrong' (Interview).

Dangerous Liaison?

The facilitators made sincere attempts to uphold the right to protest but had little scope to influence events. Ultimately, police accommodation of the demonstrators' objectives was constrained by an overarching concern to retain control. Uncertainty regarding the facilitator role and protestor actions repeatedly resulted in strategic incapacitation. Of course LBP could never fully facilitate the aims of NatoWC ('smash' militarism and halt global conflicts) or objectives such as denying delegates access to the venue, or disrupting the speech by NATO's Director General.

They could, however, have done more to facilitate peaceful protest. From the outset, the facilitators were not given enough time to engage and were bypassed by uniformed colleagues. Though framed in the rhetoric of facilitation, the decision to demarcate prescribed protest areas to contain protesters, and clamp down on any 'violations' of police directives was consistent with strategic incapacitation. What this demonstrates is that the primary methods of protest management leaned towards tried and tested techniques.

Though novel in its commitment to greater dialogue with transgressive protesters, the accent on facilitation was flawed. Facilitators wore plain-clothes and were not immediately identifiable as police officers, bolstering activist suspicions that they were intelligence gatherers (an accusation that gained currency when one of the facilitators appeared in uniform at the StW march); their first attempt to make contact occurred after protests had begun; they were not tied into the wider policing operation and frequently by-passed; and they had no authority to deliver concessions to the activists. The trust on which dialogue depends was clearly lacking here. More significantly, this threatened future attempts at liaison since one protestor fore-warned Climate Camp about this new 'stalling tactic by the police' (email communication).

It is unfair to expect too much so soon of strategic reorientation. The Nato protests did not present a major challenge and the police could and perhaps should have experimented more ahead of events with larger numbers or more fluid and dynamic situations. Key questions moving forward, however, are what lessons were learned and how the tactic has been adapted. Nato marked LBP's first key step towards liaison and signalled a significant rejection of the notion of the madding crowd. Once even 'transgressive' protestors are conceived of as rational actors who can be negotiated with rather than feared, then possibilities for dialogue open up.

Sure enough, in July 2010 LBP faced a sterner challenge when Climate Camp targeted the Royal Bank of Scotland (RBS) in Edinburgh. Again police were confronted by untrusting and unco-operative activists and again they deployed liaison teams. Officers had clearly learned from Nato and the changes made were instructive: officers were identified with bibs marked 'liaison police', had made contact with Climate Camp well in advance and distributed fliers explaining who they were and providing contact numbers. When Campers 'seized' the site in RBS headquarters, Liaison intervened to get water delivered and helped to unload it.

Such 'deliverables' immediately fostered trust and the LBP undertaking to stay off the camp, barring serious disorder, cemented it. Discussions within the Camp demonstrated that, for all their scepticism, many campers trusted liaison team statements. This relationship was crucial in diffusing a number of potential flashpoints: on one occasion when 'knives and spears' were seen on camp and an armed response was considered, liaison officers ascertained that the 'weapons' were actually tin-foil props. The dangers of relying on CCTV footage and the ability of liaison teams to provide real-time information was also seen in Sheffield's 2011 Liberal Democrat Spring Conference (see Gorringer et al 2012). On other occasions liaison teams confirmed that liquid smeared on the RBS building was treacle in one instance and clean water in another – eradicating fears about infection. Finally, when police saw wheelie bins being filled with human excrement they assumed that this would be pelted at them ... only for liaison to find that it was intended for manure.

Trust, of course, works both ways. Tellingly, during the most serious flashpoint of the event – when Campers stormed the RBS building and smashed some windows – the liaison team claimed not to feel threatened. The liaison Silver, however, was immediately concerned the team were displaying evidence of having 'gone native'. Though the team indicated that they would feel safe approaching the crowd, he could not let them expose themselves to such risk. Simultaneously senior commanders felt that operational priorities had moved 'from accommodation to enforcement'. Concerned that the liaison team were losing objectivity and that Campers were lying to them, liaison was briefly suspended at precisely the point when (arguably) communication could have reaped most rewards.

Towards Dialogue

This slight setback during an otherwise exemplary liaison operation illustrates a number of points. The first applies to police expectations: if liaison is to work it cannot be seen as negotiated management redux or as another means of containment. Dialogue policing underscores the importance of communicating with protestors *even when* they do not seek permission or wish to contact the police. Liaison works to build up trust and to de-escalate flashpoints rather than prevent them from occurring. Campers noted how officers were bemused when people chatting to them in one moment were engaged in direct action the next, but the goal of liaison should be to minimise conflict not emasculate protest. The second, related, point is that anti-systemic protestors distrust the police on principle. In a general Climate Camp meeting one speaker complained:

I think it does feel less like direct action. See, the police don't care about legal or illegal action; they care about effective action. And they will crack down on that for sure. So it feels like, well, if they're not bothered about what we're doing here, then we're probably not doing anything effective (Fieldnotes).

Transgressive protestors regard police as part of the system. Dialogue will not alter that, but if liaison teams accept that and are prepared to tolerate some disruption, then they can improve mutual understanding and reduce the potential for violence between police and protestors. What the above examples suggest is that liaison teams help to disaggregate a crowd and 'mitigate the police tendency to intervene and to correct police assumptions and pre-conceptions' (Gorringer et al. 2012: 123). Above

we have seen the police learning from past mistakes. Recent student and Defence League events, however, suggest a worrying routinisation of liaison. If liaison officers are simply wheeled out to talk to protestors and absorb flak, then the opportunities they offer for a more dynamic and democratic approach to policing will be lost.

Acknowledgements: We are indebted to Lothian and Borders Police and, in particular, David Carradice, Steven Duncan, Richard Horan, Gordon McCreadie, Elizabeth Rainy-Brown and Andrew Wallwork for their support.

¹ E.g. <http://www.indymediascotland.org/node/17451>; <http://www.indymediascotland.org/node/17468> (Accessed 09/12/2009)

² A fuller and fully referenced account of the Nato research project can be found in Gorrington et al (2011). We gratefully acknowledge the contribution made by our fellow researchers, and in particular our fellow authors in that account, David Waddington (Sheffield Hallam University) and Margarita Kominou (University of Edinburgh)

³ Following our work on Nato, we were invited to speak to Liaison officers about their role in the run-up to Climate Camp. This gave us access to police HQ, but we also spent time in Climate Camp to gain a counter-perspective.

⁴ <http://natowc.noflag.org.uk/calls-to-action/general-call-to-action/> See also: <http://natowc.noflag.org.uk/resources/> (both accessed 14/12/2009)

⁶ Austin and Another v Commissioner of Police of the Metropolis, cited in HMCIC (2009a: 43-4), found that containment does not infringe people's liberty if resorted to in good faith; proportionate; and enforced for no longer than necessary.

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